THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.25778 of 1998

Dated: 20.06.2007

Between:
T. Nagalaxmi.

.... PETITIONER

AND

The Regional Manager, APSRTC, Kurnool Division, Kurnool and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.25778 of 1998

Order:

The petitioner, who is the wife of the deceased employee of the respondent-APSRTC, filed the present writ petition seeking to direct the respondents to appoint her on compassionate grounds in any suitable post.

2. The petitioner states that her husband, namely T. Venkateshwarlu, died in harness on 08.11.1994, while working as ADC at Atmakur Depot in the respondent-APSRTC. She further states that when she approached the 1st respondent for appointment in any suitable post under the Bread Winner Scheme, the 1st respondent had informed her that there is ban on recruitment to the post of Attender etc., and offered additional monetary benefits in lieu of appointment. After the said ban was lifted, the petitioner filed W.P.No.2229 of 1997, which was disposed of on 13.02.1997 directing the respondent-APSRTC to consider the case of the petitioner for appointment in any suitable post on compassionate grounds. Her grievance is that even though there are vacancies of Attenders, Watchmen, Water Women etc. in the respondent-APSRTC, the action of the respondents in not considering her case for appointment in any suitable post on compassionate grounds, is

illegal and arbitrary. Hence, the petitioner filed the present writ petition.

3. The respondent-APSRTC filed counter affidavit. Reiterating the averments made in the counter-affidavit, the learned Standing Counsel for the respondent-APSRTC contended that in pursuance of the directions of this Court in W.P.No.2229 of 1997, the case of the petitioner was considered, and vide proceedings dated 28.07.1997, she was informed that there are no vacancies of Attenders/Sweepers etc., and that her name is at Sl.No.16 in the list of candidates applied for the posts of Attender/Sweeper under the Bread Winner Scheme in Kurnool region, and that as and when her turn comes up, her case will be considered, and that if she is not willing to wait till her turn comes, she can avail the additional monetary benefit in lieu of appointment.

4. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent-APSRTC.

5. The learned counsel for the petitioner submitted that since there are no vacancies in existence, the respondent-APSRTC be directed to pay additional monetary benefits in lieu of appointment to the petitioner. Having regard to the stand taken by the petitioner and inasmuch as the respondent-APSRTC has already advised the petitioner to avail the additional monetary benefit in lieu of compassionate appointment, I deem it appropriate to dispose of the writ petition with the following directions:

6. The 1st and 2nd respondents are directed to pay additional monetary benefits in lieu of compassionate appointment to the petitioner, expeditiously, within a period of three months from the

date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 20.06.2007

sj